

**REGULAR MEETING OF THE
BRIGHAM CITY COUNCIL
OCTOBER 30, 2008**

PRESENT:	Lou Ann Christensen	Mayor
	Bruce Christensen	Councilmember
	Scott Ericson	Councilmember
	Reese Jensen	Councilmember
	Ruth Jensen	Councilmember
	Bob Marabella	Councilmember
ALSO PRESENT:	Rick Bosworth	Human Resource Coordinator
	Ben Boyce	Leisure Services Director
	Mark Bradley	City Planner
	Mary Kate Christensen	City Recorder
	Blake Fannesbeck	Public Works Director
	Sue Hill	City Librarian
	Jared Johnson	Community Development Manager
	Paul Larsen	Economic Development Director
	Bruce Leonard	City Administrator
	Dennis Sheffield	Finance Director

Mayor Christensen called the meeting to order. The Reverence Period was given by Councilmember Christensen. The scouts in the audience led the Pledge of Allegiance.

Approval of Minutes: The Mayor called for approval of the minutes. Councilmember Marabella noted that it lists him as present and he was excused. A motion to approve the minutes of the September 18, 2008 Work Session as amended was made by Councilmember Ericson, seconded and carried.

Mayor Christensen presented the agenda as follows:

PUBLIC COMMENT

SCHEDULED DELEGATION

Report on Domestic Violence Investigator VAWA Grant

NEW BUSINESS

Memorandum of Understanding Between Brigham City Corporation and Box Elder School District
Elementary Schools Regarding Crossing Guards
Report from Mileage Committee
Discussion on "Demonstrated Cost Savings Award" Portion of the Employee Recognition Program
Administrative Policies and Procedures
Request for Approval of Mantua Lake Trail Grant
Request to Open Full-Time Network Administrator Position

PLANNING COMMISSION BUSINESS

Request for Approval of Preliminary Plat for the Mace Subdivision Located at 1200 South Between
450 West and Hwy 89
Request for Zone Change from MU-160 (Multiple Use District) to R-1-10 (Residential District) for
12.23 Acres of Property Located East of Highland Drive Between 700 North and 900 North

MAKING LIFE BETTER - DEPARTMENT REPORTS

OTHER BUSINESS

Schedule Work Session on Space Needs (*added*)
Schedule Work Session on Development Update (*added*)

CLAIMS

Payment Register

Councilmember Christensen made a motion to approve the agenda as amended. The motion was seconded and carried unanimously.

PUBLIC COMMENT

There were no comments from the public.

SCHEDULED DELEGATION

Report on Domestic Violence Investigator Violence Against Women Act (VAWA) Grant

Annette McFarlane, representing the Your Community in Unity, came forward and stated that they received a VAWA grant to hire a police officer specifically to investigate domestic violence and crime against women. Detective Dennis Able was hired for that position. As the funding from this grant ran out, they examined another source of revenue through the State Office of Crime Victims. This was funded and pays for Detective Able's position. However, Ms. McFarlane said she feels the time has come for Brigham City to permanently fund an officer to specifically investigate domestic violence and abuse, so this position is not dependent on grant money which may or may not be awarded. She asked the Council to consider this when preparing their budget.

Mayor Christensen asked if there is potential to partner with the County since this is a County-wide service. Ms. McFarlane felt there is a lot of possibility to do this. Approximately half of the cases Detective Able investigates are in Brigham City. Ms. McFarlane will approach the County with a request for funds.

NEW BUSINESS

Memroandum of Understanding Between Brigham City Corporation and Box Elder School District Elementary Schools Regarding Crossing Guards

Chief Tittensor approached the council and said he, Mr. Leonard and other City directors met with the School Superintendent throughout the summer to finalize this MOU. The School District passed a resolution stating that they will not accept any responsibility for crossing guards.

The MOU states that the schools will coordinate and supply the volunteers and provide a contact person to the City. In the past, the City has provided training for school crossing guards and this will continue, requiring the guard to attend the training.

Mr. Bosworth explained that one of the City's risk in having the crossing guard volunteers as a part of Worker's Compensation is if they have another job and they get injured while being a crossing guard and are off work, the City's Worker's Compensation insurance will have to cover those lost wages.

Mr. Leonard said they contacted URMMA on the liability for school crossing guards. URMMA told him that their largest claim involved a crossing guard incident. He was a paid employee and was in his vehicle reading a book. A student crossed the street and was hit by a car. Mr. Leonard explained that the City is limited on liability and what the City can be sued for. However, if it goes to federal court, there is no limit. This has been discussed at length with staff and the School District. The School District was under the impression that the City was responsible for the streets where the students cross. The City is responsible if the crossing meets state warrant, all other areas the City is not liable. The City is responsible to have the correct signage and the crossings painted. He added that Brigham City is the only City under URMMA coverage that is doing this volunteer crossing guard program. Staff wants to make sure that if citizens volunteer that they are well trained and are being monitored. This MOU explains all this and will be signed by each elementary school.

MOTION: Councilmember Ericson made a motion to authorize the Mayor to sign the memorandums of understanding between Brigham City Corporation and the individual elementary schools regarding crossing guards, seconded by Councilmember Christensen.

Voting was as follows:

Councilmember Christensen - aye
Councilmember Ericson - aye
Councilmember Reese Jensen - aye
Councilmember Ruth Jensen - aye
Councilmember Marabella - aye

Motion unanimously carried.

Report from Mileage Committee

Mr. Fonnesbeck came forward and reported on the Committee's findings. The Committee consisted of Councilmember Ericson, Councilmember Marabella, Tyler Pugsley and Ben Boyce. When the committee first started meeting the cost of fuel was very high and the committee was looking at the mileage rate; however, after a while it became apparent that there were other issues as well.

They looked at which individuals use their personal vehicles for City business and what type of vehicle was needed to perform the function of their job. They also looked at the possibility of having a fleet vehicle that employees could check out for training and conferences rather than paying mileage. They determined that anyone that is getting more than \$3,500 per year for mileage should probably have a City vehicle. There were six positions in that situation: Economic Development Director; Public Works Director; Assistant Public Works Director; Fleet Manager; Waste Water Treatment Manager; Parks Maintenance Supervisor. The Committee recommended that these employees rotate into City vehicles. Mr. Fonnesbeck recommended this be done over a period of time to soften the budget impact. He recommended two 2-wheel drive pickups be purchased in the 2009-10 budget; one car and one 2-wheel drive pickup in the 2010-11 budget; one 4-wheel drive pickup in the 2011-12 budget; and one 4-wheel drive pickup in the 2012-13 budget.

MOTION: Councilmember Marabella moved to contact the employees on the list for City vehicles and advise them that the council is looking at the potential of rotating their private vehicles with City vehicles and they not purchase a personal vehicle without contacting the committee. He also moved that the committee reconvene in January to make a recommendation for the 2009-2010 budget. The motion was seconded by Councilmember Christensen with the following vote:

Councilmember Christensen - aye
Councilmember Ericson - aye
Councilmember Reese Jensen - aye
Councilmember Ruth Jensen - aye
Councilmember Marabella - aye

Motion unanimously carried.

Discussion on "Demonstrated Cost Savings Award" Portion of the Employee Recognition Program Administrative Policies and Procedures

Councilmember Marabella said he and Councilmember Ericson sit on the Cost Savings Award Program and they have had a few great responses going above and beyond what was expected. The current policy states that employees can receive this award one time only.

There was some confusion on the interpretation of the policy as far as how many times an employee can receive this award.

MOTION: Councilmember Marabella made a motion to have the committee review this policy and clarify the intent of the policy and bring it back to the Council. Councilmember Christensen seconded the motion. Councilmember Ericson asked if directors and superintendents should be eligible for this award. They currently are not. The council felt that this should be part of their job and they should not be eligible for this award.

Voting was as follows:

Councilmember Christensen - aye
Councilmember Ericson - aye
Councilmember Reese Jensen - aye
Councilmember Ruth Jensen - aye
Councilmember Marabella - aye

Motion unanimously carried.

Request for Approval of Mantua Lake Trail Grant

Mr. Boyce approached the council and explained that the grant from the Division of Wildlife Resources (DWR) is for \$196,000, with an \$18,000 in-kind match required. They requested \$500,000 from the Federal Trails Grant and were awarded \$292,000, of which 50% is the City's responsibility. The intent is that the bulk of the match will be in-kind. If more funds are needed they will address this during the budget process.

MOTION: Councilmember Christensen moved to authorize the Mayor to sign the Utah Division of Parks and Recreation Fiscal Assistant Agreement as presented. Councilmember Reese Jensen seconded the motion.

Voting was as follows:

Councilmember Christensen - aye
Councilmember Ericson - aye
Councilmember Reese Jensen - aye
Councilmember Ruth Jensen - aye
Councilmember Marabella - aye

Motion unanimously carried.

Request to Open Full-Time Network Administrator Position

Mr. Bosworth came forward and stated that the city's contract for part-time network support has been terminated. Although the City has gotten by with a contractor, there has been lost productivity because the contractor has to come in during odd hours because they have another job. There has been lost productivity in the Police Department because they have been doing their own network support, which takes them away from their regular duties. There is also concern with proper backup of the system.

Mr. Bosworth reviewed possible funding for this position. The library has been paying a contractor approximately \$12,300 over the last 12 months. The prior contractor for the City earned \$37,161 over the last year. Also, there is an additional \$12,000 in the budget for IT support. Sue Hill joined Mr. Bosworth at the table and explained that they do not usually spend \$12,000 a year on IT support. Last year was an unusual year where they had a lot of problems and they had to purchase new equipment. They usually budget about \$7,000. In addition, property taxes may go down next year, so she did not want the Council to count on \$12,000 from the library budget because if she has to cut her budget that is probably the only area she can cut.

Mr. Bosworth did a market study for this position and the average wage was approximately \$51,000. This would be a Grade 56 in the City's grading system. The top of the hiring scale at this grade would be \$48,256, with benefits it would be \$69,793.

MOTION: Councilmember Christensen made a motion to open a full-time position for a network administrator, seconded by Councilmember Reese Jensen.

Councilmember Christensen - aye
Councilmember Ericson - aye
Councilmember Reese Jensen - aye
Councilmember Ruth Jensen - aye
Councilmember Marabella - aye

Motion carried unanimously.

PLANNING COMMISSION BUSINESS

Request for Approval of Preliminary Plat for the Mace Subdivision Located at 1200 South Between 450 West and Hwy 89

Mr. Bradley stated that this was discussed with the Joint Advisory Board (JAB) because the location of this proposed subdivision is on the border of Brigham City and Perry. The applicant is proposing two phases and the JAB is primarily interested in Phase I, which is the westerly portion primarily in Perry and a portion of 1200 South in Brigham. Phase II will be completed in the future. Ultimately this will be part of the road network the City has been working on to have the 1200 South connection and access to 450 West.

In the JAB meeting representatives from Perry said they were not interested in reconfiguring the boundaries between Perry and Brigham. They were more interested in a municipal services agreement.

Mr. Thurgood, the property owner, came forward and said most of the utilities will be provided by Perry. The only possible utility they would like from Brigham City is to take the storm water into Brigham's system.

MOTION: Councilmember Ericson made a motion to approve the preliminary plat for the Mace Subdivision located at 1200 South between 450 West and Hwy 89. The motion was seconded by Councilmember Ruth Jensen.

Councilmember Christensen - aye

Councilmember Ericson - aye

Councilmember Reese Jensen - aye

Councilmember Ruth Jensen - aye

Councilmember Marabella - aye

Request for Zone Change from MU-160 (Multiple Use District) to R-1-10 (Residential District) for 12.23 Acres of Property Located East of Highland Drive Between 700 North and 900 North

Mr. Bradley stated that the Planning Commission held a public hearing on this item. The area is designated as a low density residential zone in the General Plan. The request is consistent with the General Plan Map, but there is an inconsistency as far as development on the east bench. He added that the General Plan is an advisory for land use decisions. The Plan discusses trying to avoid too steep of development. It reads, "servicing steep slope development would not only require significant private development to provide water, sewer and road service but would require ongoing public costs to maintain the streets and infrastructure." It also mentions residents and stake holders expressing the same preference, and the wildlife and shrubs in that area. Mr. Bradley stated that there are areas that flattens out that creates a bench where development could take place.

There was concern expressed by staff at the staff review that some of the driveways will have to be very steep and the homeowners may not be able to utilize them. The developer would be out of the picture by then, therefore the City would have to deal with some of these standards.

MOTION: Councilmember Marabella made a motion to approve the zone change from MU-160 to R-1-10 for 12.23 acres for property located east of Highland between 700 and 900 North. Councilmember Christensen seconded the motion. Councilmember Reese Jensen expressed concern that the City does not have any limitation on how far up houses can be built on the mountain. He felt it is a liability issue. If the City allows housing to be built further up the foothill and then there is a slide and homes are lost, the City could be liable because the City allowed homes to be built that high. Mayor Christensen said Jim Buchanan had some concerns with this and they are noted in the staff review minutes. These will be addressed during the subdivision process. The vote was as follows:

Councilmember Christensen - aye

Councilmember Ericson - aye

Councilmember Reese Jensen - aye

Councilmember Ruth Jensen - aye

Councilmember Marabella - aye

MAKING LIFE BETTER - DEPARTMENT REPORTS

Sue Hill, Library - In early January she heard that Thiokol was hiring engineers and that most of the engineers and scientists they were hiring did not graduate from Box Elder High School. In hopes of raising the number of students who are interested in science careers, they decided to target the Adele C. Young Intermediate School because that is the first time students have science classes. They wrote letters to businesses in town and received \$5,500 from them and \$6,500 from a state grant. With this money they purchased science E-books and are sponsoring an after school club titled "Science Rocks." The students do outdoor science activities, hands-on activities in the classroom using microscopes, and learn by discovery.

Mission Meltaway - Kristy Law and Donna Pett came to the table. Ms. Pett explained the Mission Meltaway Program, the City's employee wellness program. It will kick off with a Health Fair on November 12. Flu shots and a complete blood work up will be available. The purpose of the Health Fair is for the City to get a baseline on the health of the employees. Their goal is to get 50% participation in the Health Fair. Mission Meltaway is an eight month program that encourages employees to improve nutrition and increase their physical activity so they can achieve and maintain sustainable weight loss and acquire healthy lifestyle changes.

Ms. Law said there will be a lunch time activity on November 19. Pedometers will be calibrated and given to all employees. There will be a Turkey Walk and brown bag gifts. At the end of the steps program two winners will be chosen from the points they have acquired and they will receive new walking shoes. Starting in January, the Senior Center will host luncheons for participants. There will be guest speakers at each luncheon. There will be fun incentives throughout the eight months with a grand prize at the end.

Police Department - Chief Tittensor came forward and said several years ago they started to try and make their computer mobile data system more efficient. Detective Crapse gave a demonstration of the Auto Vehicle Locator (AVL) system which gives a live picture of what is going on in the City. It indicates where the officers' vehicles are located. All police vehicles have access to this system. When a call comes in, the Dispatch Center inputs it into the computer and it will show up on the map.

OTHER BUSINESS

Schedule Work Session on Space Needs

The Council scheduled a work session for November 17 at 4:00 to further discuss the space needs of the City.

Schedule Work Session on Development Update

The council also scheduled a work session for November 20 at 5:30 p.m. to discuss development opportunities. Mark Arnold and his development group will address the council.

CLAIMS

Payment Register

Councilmember Marabella moved to approve General Claims for \$919,765.24, for October 14 in the amount of \$414,435.16; October 20, \$65,591.28. The motion was seconded and carried.

A motion to close to an Executive Session was made by Councilmember Reese Jensen. The motion was seconded by Councilmember Ruth Jensen. A roll call vote was taken in which all councilmembers voted in favor. The meeting adjourned at 9:48 p.m.

The council returned to an open meeting at 10:30 p.m. and adjourned.